GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – SPSR Nellore District– Disciplinary proceedings against Smt Y.Mercy Kumari, the then Tahsildar, Gudluru (M), erstwhile Prakasam District (now retired) – AoCs issued - WSD submitted - Inquiry officer appointed - Inquiry report submitted - Charges proved - to impose a penalty of "withholding of 25% monthly pension permanently" against Smt.Y.Mercy Kumari, Tahsildar (Retd) - Orders - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.1115 Dated:04.12.2023

Read the following:

1. G.O.Ms.No.394 Revenue (Vig-III.2) Dept, Dt:29.12.2020.
2. G.O.Ms.No.395 Revenue (Vig-III.2) Dept, Dt:29.12.2020
3. G.O.Rt.No.997 Revenue (Vig-III) Dept, Dt:29.12.2020
4. G.O.Rt.No.174, Revenue (Vig.III) Dept, Dt:22.03.2021.
5. Govt.Memo.No.REV01-LANA0CCLV(DISC)/85/20220-Vig.III(2)-1, Dt:22.03.2021.
6. From the Inquiry authority & Joint Collector (RB&R), Prakasam District, Lr.Rc.A1/e.240214/2020, Dt:12.07.2021.
7. Memo.No.REV01-LANA0CCLV(DISC)/85/2020-Vig.III(2), Dt:23/05/2022
8. Explanation dt:30.06.2022 of Smt.Y.Mercy Kumari, Tahsildar (Retd), Gudlur Mandal, SPSR Nellore Dist.
9. Memo.No.REV01-LANA0CCLV(DISC)/85/2020-Vig.III(2), Dt:09/09/2022.
10. Explanation dt:04.11.2022 of Y.Mercy Kumari, Tahsildar (Retd), Prakasam District.
11. Govt.Letter.No.REV01-LANA0CCLV(DISC)/85/2020-Vig.III(2), DT:17.04.2023
12. From the Secretary, APPSC, Lr.No.GAD03-APPS0DCC/47/2023-DC.SEC-APPSC (Computer .No.2057544), Dated:19.05.2023

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ORDER:

Whereas, in the reference 2nd read above, common disciplinary proceedings have been instituted against (1) Smt Y.Mercy Kumari, the then Tahslidar, Gudlur (Retd) and (2) Sri I.V.Nagaraju, the then VRO, Ammavaripalem. In the reference 3rd read above, the following article of Charges have been issued against Smt Y.Mercy Kumari, Tahslidar (Retd) and the Charged Officer has submitted her Written Statment of Defenses denying the charges.

Article of Charge-1:-

That, Smt.Y.Mercy Kumari, the then Tahsildar, Gudlur Manda (now retired) for her pecuniary gain, modified the entries in web land for an extent of Ac.28-00 in S.No.140/1 of Ammavaripalem village raising the extent to Ac.70-00 against Ac.41-55 by creating fictitious sub-division 140/V, since there is no such sub-division in revenue records.

Thus, Smt Y.Mercy Kumari, the then Tahsildar, Gudlur Mandal (now retired) by her above mentioned acts has exhibited lack of devotion to duty and failed to maintain absolute integrity, impartiality and discipline and there by contravened Rule 3 (1) of A.P.C.S (Conduct) Rules 1964. Hence the Charge.

Article of Charge-2:

That Smt.Y.Mercy Kumari, the then Tahsildar, Gudlur Mandal (now retired) for, her pecuniary gains colluded with the culprits and made entries in the web land in S.No.140/1V of Ammavaripalem of Gudlur Mandal in the names of (1) Unnimaddela Audiseshaiah son of Gopal for Ac.7-50 (2) Unnimaddela Rambabu son of Mallikarjuna for Ac.7-40 and (3), Uppalapati Raja Sekhar son of Brahmaiah for Ac.7-50 and Ac.6-00 in the name of others.

(P.T.O)

Thus, Smt Y.Mercy Kumari, the then Tahsildar, Gudlur Mandal (now retired) by her above mentioned acts has exhibited lack of devotion to duty and failed to maintain absolute integrity, impartiality and discipline and there by contravened Rule 3 (1) of A.P.C.S (Conduct) Rules 1964. Hence the Charge.

2. And whereas, as the Written Statment of Defense submitted by the Charged Officer is not convincing, the Joint Collector (RB&R), Prakasam District has been appointed as Inquiry officer to inquire into the charges framed against the charged officers in the reference 4th read above. The Inquiry officer/Joint Collector (RB&R), Prakasam Dist has submitted his report dt:12.07.2021 stating that the two (2) charges framed Smt.Y.Mercy Kumari, Tahsildar (Retd), are held proved.

3. And whereas, after careful examination of the findings of the Inquiry officer, Government have accepted the same and a copy of the Inquiry report has been communicated to the Charged Officer to submit their explanation, if any, on the findings of the Inquiry officer, vide reference 7th read above. In reply, the chaged officer Smt.Y.Mercy Kumari, Tahsildar (Retd) has submitted her explanation with a request to consider it sympathetically and to drop further action against her as no financial loss caused to the Government.

4. After careful examination of the explanation of charged officer, it is provisionally decided to impose a penalty of "withholding of 25% monthly pension permanently" against Smt.Y.Mercy Kumari, Tahsildar (Retd). Accordingly, a show cause notice has been issued as to why the proposed penalty should not be imposed against her. In reply, she has submitted explanation with a request to consider the representation with sympathetically and dispassionately by withdrawing the proposed penalty of "Withholding of 25% of monthly pension permanently" keeping in view of her age and family problems as a widow. Considering the explanation of Sri Y.Mercy Kumari, Tahsildar (Retd), Government have taken a provisional decision to impose a punishment of "withholding of 5 % of monthly pension for a period of 5 years " against her. Accordingly, in the reference 11th read above necessary proposals has been sent to the Secretary, APPSC with a request to place the same before the commission for their conference.

5. And whereas, in the reference 12th read above, the Secretary, APPSC has informed that the delinquency committed by the charged officer amounts to a criminal act of committing forgery and fabrication of records. Here the record is the `web land' wherein deceitfully a fictitious Revenue Sub Division was created and false and fictitious Survey No's to an extent of 28 acres was created for 3 beneficiaries, amounts to an act of gross misconduct reflecting on the moral turpitude of the charged officer and therefore as per rules, guidelines and principles in vogue punishment has to be commensurate and in proportion. Therefore, advised to enhance to 25% permanently cut to pension is proposed against Smt. Y. Mercy Kumari, Tahisldar (Retd).

6. Government, after careful examination of the matter and considering the advice of the A.P.P.S.C, have decided and hereby impose a penalty of "withholding of 25% monthly pension permanently" against Smt Y.Mercy Kumari, the then Tahslidar, Gudlur (Retd), erstwhile Prakasam District, in terms of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 in this matter.

7. The Chief Commissioner of Land Administration, A.P., Mangalagiri shall take necessary further action in this matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To :

Smt.Y.Mercy Kumari, Tahsildar (Retd), Gudlur Mandal, SPSR Nellore Dist (erstwhile Prakasam District) through the Chief Commissioner of Land Administration, A.P., Mangalagiri

The Chief Commissioner of Land Administration, A.P, Mangalagiri.

The Collector & District Magistrate, SPSR Nellore District.

Copy to:-
The Collector & District Magistrate, Prakasam District, Ongole.
The Director of Treasuries & Accounts, A.P., Mangalagiri,
The Accountant General, A.P., Vijayawada
Sf/Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER